

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

The specification has been amended to correct clerical errors in paragraphs 0004 and 0009. It is respectfully submitted that no new matter has been introduced. Note, *e.g.*, that the additions to paragraph 0009 correspond to claim 1.

In the Office Action dated January 6, 2005, the Examiner rejected claims 20 and 22, under 35 U.S.C. §103(a), as being unpatentable over Walls '270 (U.S. Patent No. 5,262,270). The Examiner also indicated that claims 1-19 were allowed.

By this Amendment, Applicant has amended independent claim 20 to provide a clearer presentation of the claimed subject matter. Furthermore, claims 23-25 have been added. Support for the new claims can be found throughout the application as filed (*see e.g.*, Specification, par. [0050]). Applicant submits that no new matter has been introduced.

Applicant respectfully traverses the prior art rejections, under 35 U.S.C. §103(a), for the following reasons:

I. Prior Art Rejections Under 35 U.S.C. §103(a).

The Examiner summarily asserted that the Walls '270 reference renders independent claim 20 unpatentable. Applicant respectfully disagrees.

Independent claim 20, as amended, sets forth a substrate for use in an electromagnetic lithographic apparatus, comprising, *inter alia*:

a first layer of electromagnetic radiation sensitive material attached to a surface; and

a second layer of electromagnetic radiation sensitive material attached to said first layer of radiation sensitive material,

wherein said *first layer of radiation sensitive material is of a different material than said second layer of radiation sensitive*

material and said first layer of radiation sensitive material has a dose size of at least approximately 1.5 times the magnitude of the dose size of said second layer of radiation sensitive material.

As indicated above, amended claim 20 now positively recites that the first layer of radiation sensitive material is of a different material than the second layer of radiation sensitive material and that the first layer of radiation sensitive material has a dose size of at least approximately 1.5 times the magnitude of the dose size of the second layer of radiation sensitive material. These features are amply supported by the embodiments described in the Specification. (See, e.g., Specification, par. [0054] – [0056]).

Unlike the present invention, there is nothing in the references of record, including the Walls '270 reference, that teaches the combination of features recited in claim 20. In particular, the Walls '270 reference discloses the use of "dual layer" lithographic printing plates, in which a radiation-sensitive layer containing a diazo resin is coated over an anodized aluminum support and a radiation-sensitive layer containing a photo-crosslinkable polymer is coated over the layer containing the diazo resin. (See, e.g., Walls '270: col. 1, lines 56-62). Walls '270 further discloses that the formation of the photosensitive layer includes dispersing the diazo resin, the binary acetal polymer, and optional ingredients into a suitable solvent or mixture of solvents. (See, e.g., Walls '270: col. 6, lines 20-22).

With this said, however, Walls '270 is absent any mentioning that the first layer of a radiation sensitive material has a dose size of at least approximately 1.5 times the magnitude of the dose size of the second layer of radiation sensitive material, as required by instant claim 20.

For at least these reasons, Applicant submits that the Walls '270 reference does not teach or suggest the claimed combination of elements recited by amended claim 20. Accordingly, the Walls '270 reference cannot be deemed to render claim 20 unpatentable and Applicant respectfully requests the withdrawal of the rejection of claim 20 under 35 U.S.C. §103(a). In addition, because claims 21-22 depend from claim 20, claims 21-22 are at least patentable by virtue of dependency as well as for their additional recitations.

II. Conclusion.

All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims, including claims 20-25.

Applicant's Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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